

PETITION/APPLICATION FOR WITHDRAWAL

Serial Number NMNM-144042

USDOI Bureau of Land Management, New Mexico State Office,
Santa Fe, New Mexico

Items required by 43 C.F.R. 2310.1-2(c):

1. APPLICANT

Bureau of Land Management
New Mexico State Office
Division of Lands and Resources
301 Dinosaur Trail
Santa Fe, NM 87508

2. STATEMENT OF DELEGATION

Not Applicable.

3. OTHER AGENCY CONSENT

Not Applicable.

4. TYPE OF WITHDRAWAL ACTION

The Bureau of Land Management (BLM) requests the withdrawal of public lands specified below from location and entry under the United States mining laws and from leasing under the mineral leasing laws, but not disposal under the mineral materials laws, subject to valid existing rights for a 20-year term. The purpose of the requested withdrawal is to protect these public lands and the greater connected landscape with the rich Puebloan, Tribal Nations, and cultural legacy in northwestern New Mexico. This place holds a deep meaning for the Indigenous peoples whose ancestors lived, worked, traded, and thrived in this high desert community. The BLM is submitting this petition/application for the Secretary to take such measures as necessary to ensure that no activities are permitted (except for those associated with valid existing rights) within the area which would disturb the land surface or impair the area's existing natural, educational, and scientific research values, including paleontological study, excavation, and interpretation.

This petition/application is for the withdrawal of 351,479.97 acres of public lands surrounding the boundaries of the Chaco Culture National Historical Park. If the Secretary approves the BLM's petition, publication of the Notice of Proposed

Withdrawal would segregate the lands for up to two years, while the application is being considered and would allow time for the BLM to complete the environmental analysis of the proposed withdrawal.

5. LEGAL DESCRIPTION

The legal description of the public land requested for withdrawal from the laws specified is identified in Appendix A (see attachment).

The area aggregates 351,479.97 acres in San Juan County, New Mexico.

6. IDENTIFICATION OF EXISTING WITHDRAWALS

This withdrawal, if established, would overlap the following existing withdrawals totaling 5,573.04 acres.

A. Fossil Forest Protection Act (NMNMAA-26026) within the Ah-Shi-Sle-Pah Wilderness, Public Law 98-603, dated, October 30, 1984 and Public Law 116-9, dated, March 12, 2019.

New Mexico Principal Meridian, New Mexico

T. 23 N., R. 12 W.,
sec. 13, lots 3 thru 6 and 11 thru 13;
sec. 14, lots 1 thru 8, and NW1/4;
sec. 22, lots 1, 2, 7 thru 10, 15 and 16;
sec. 23;
sec. 24 lots 3 thru 6, and SW1/4;
sec. 26.

Total overlapping acreage = 2,720 acres.

B. Bisti/De-Na-Zin Wilderness (NMNM-54547) Public Law 98-603, dated, October 30, 1984; Public Law 104-333, Sec. 1022, Page 119, expansion, dated, November 12, 1996; and Public Law 116-9, dated, March 12, 2019, Page 58.

New Mexico Principal Meridian, New Mexico

T. 23 N., R. 13 W.,
sec. 2, SW1/4SE1/4, contains 40 acres
sec. 3, S1/2SE1/4, contains 80 acres
sec. 10, lots 7 and 8, contains 27.44 acres

T. 23 N., R. 12 W.,
sec. 3, lots 5 thru 16, contains 509.14 acres
sec. 4, lots 5-20, contains 681.17 acres

sec. 5, lots 9 thru 20, contains 513.29 acres
sec. 6, lots 12 thru 15, contains 170.41 acres

T. 24 N., R. 12 W.,
sec. 35, lots 9, 10, 13 thru 16, contains 256.75 acres
sec. 36, lots 1, 2, 5 thru 15, contains 419.62 acres

T. 24 N., R. 11 W.,
sec. 30, lots 7, 6, 9, and 10, contains 108.76 acres
sec. 31, lots 6 and 7, contains 46.46 acres.

Total overlapping acreage = 2,853.04 acres.

7. PURPOSE OF WITHDRAWAL

The purpose of the requested withdrawal is to protect these public lands and the greater connected landscape with the rich Puebloan, Tribal Nations, and cultural legacy in northwestern New Mexico. This place holds a deep meaning for the Indigenous peoples whose ancestors lived, worked, traded, and thrived in this high desert community. If established as requested, the requested withdrawal would protect the landscape from industrial activity by restricting location and entry under the United States mining laws, and from leasing under the mineral leasing laws, subject to valid existing rights, for a period of 20 years.

The land requested for withdrawal is 351,479.97 acres of public land in northwest New Mexico surrounding Chaco Culture National Historical Park (CCNHP), managed by the U.S. National Park Service (NPS). Specifically, the withdrawal area requested encompasses approximately 885,000 surface acres within a 10-mile buffer (adjusted to aliquot parts) surrounding all parcels of CCNHP, as well as an additional 74,000 acres to the northwest and southwest of the main CCNHP boundary, as identified in Appendix B. The landscape beyond the borders of CCNHP is made up of public lands that have important cultural resources, sacred sites, and ancient connections to surrounding Tribal communities. The CCNHP and related areas were designated as a United Nations Educational, Scientific and Culture Organization World Heritage Site in 1987, one of only two dozen sites in the United States.

There has been interest in oil and gas development in the area. Although there have been multiple lease parcels nominated over the past ten years within the withdrawal area, there have not been any new leases issued since 2011. Thus, protection of this area is critical and serves the greater public good.

8. EXTENT OF WITHDRAWAL AND SEGREGATION

BLM requests that publication of a Notice of Proposed Withdrawal in the Federal Register segregate the public lands within the area identified on the attached map (Appendix B) for up to two years. Should the Secretary decide to establish the

withdrawal as requested, the public lands would be withdrawn from location and entry under the United States mining laws and from leasing under the mineral leasing laws, subject to valid existing rights, for 20 years to protect the ancient cultural values within the withdrawal area.

9. ALLOWABLE TEMPORARY USES

Temporary uses that may be permitted during the segregation period are leases, licenses, permits, rights-of-way, and other uses consistent with the 2003 Farmington Resource Management Plan (as amended). Permitting any of these activities is discretionary and may be allowed during the segregation period as provided under section 2310.2(c).

Existing uses of the segregated lands may continue in accordance with their terms (except for the location or relocation of mining claims and the sale of new oil and gas leases) during the segregation period, including, but not limited to, livestock grazing, lawful ingress and egress to any valid or patented mining claims and mineral leases that may exist on the segregated lands.

10. ANALYSIS OF ALTERNATIVES

The rights-of-way reservation under Title V, Section 507 of the Federal Land Policy and Management Act of 1976, as amended, does not provide adequate protection from prospecting, mining operations, or mineral patents. It also does not prevent new mineral leasing.

11. WITHDRAWAL DURATION

The BLM is requesting withdrawal for up to 20 years.

12. ALTERNATIVE SITES

The withdrawal is requested specifically to protect the resources surrounding CCNHP/Chaco Canyon; therefore, no suitable alternative site is available for this withdrawal.

13. WATER REQUIREMENTS

No water rights will be needed to fulfill the purpose of this withdrawal request.

14. LOCATION OF RECORDS

Records related to this application may be examined at:

Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail

Santa Fe, NM 87508
(505-954-2000)

Bureau of Land Management
Farmington Field Office
6251 College Blvd, Suite A
Farmington, NM 87402
(505-564-7600)

15. PRELIMINARY INDICATION OF MINERAL POTENTIAL RESOURCES

The CCNHP and surrounding areas lie in the southern end of the San Juan Basin in northwest New Mexico. The San Juan Basin is the second largest gas-producing basin in the United States, second in total estimated gas reserves to the Hugoton Field of Texas, Oklahoma, and Kansas. In addition to oil and gas resources, the area under consideration also has mineral potential for coal, humate, clinker, and sand and gravel.

Locatable Minerals:

The geologic environment and the inferred geologic processes indicate a low potential for the accumulation of mineral resources subject to the Mining Law of 1872. Uranium is prospectively present. The geologic environment, the inferred processes, and the known deposits of uranium indicate a low potential for the accumulation of this mineral resource.

Salable Minerals:

Humate: Humate is a brownish carbonaceous mudstone that is valued as a soil conditioner for its humic and folic acid content. Humate is found in Cretaceous strata of northwestern New Mexico associated with thin sub-bituminous coal seams and occurring in repetitive sequences representing deltaic sediments. Humate is found in both the Fruitland and Menefee coal sequences. There are four active humate mines in the area and additional potential exists in the area with expressed interest from current operators.

Clinker: There are deposits of natural clinker, or “red dog,” on the lands considered for mineral withdrawal. Coal geologists refer to the baked rocks associated with naturally burned coal beds as natural clinker. With the low availability of suitable road base or gravel in the area and the cost of transporting it, clinker is an alternate. Natural clinker with its diversity in quality is sometimes used as a substitute by local landowners.

Sand and Gravel: There are currently no commercial sand and gravel operations in the area. There is no obvious feedstock for gravel operations with little river cobble available. The NPS does use sand from the area for ruins stabilization.

Leasable Minerals:

Oil and Gas: By far the most productive oil-bearing formation in the area is the Gallup with production from the following four pools: Bisti-Lower Gallup, South Bisti Gallup, Nageezi Gallup, and the Cuervo Gallup. Recent activities involve drilling horizontal

wells over a mile in length which may necessitate drilling through several leaseholds in the “checkerboard” land ownership area.

Coalbed methane production from the Fruitland Coal is the largest source of gas in the area. Although the Fruitland Coal crops lies north of CCHNP, methane is produced from the coals down-dip from the surface exposure. Although commercial gas production from the Menefee Formation is absent, potential for coalbed methane production exists.

Coal: There are two potentially developable coal formations involved in the exchange lands: the Fruitland Coal and the Menefee Coal Formation of the Mesa Verde Group. The major coal bearing unit in the San Juan Basin is the Fruitland Formation with current production at both the Navajo and San Juan Underground Mines. The Menefee Coal Formation is present in the area, but the beds are thin and are not a viable development target.

SUPPLEMENTAL INFORMATION

Appendix A: Legal Description of Chaco Lands for Withdrawal Application

Appendix B: Map - Chaco Culture National Historical Park Area Withdrawal